



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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April 6, 2011

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TO: SACHI A. HAMAI
Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: JOHN F. KRATTLI 
Senior Assistant County Counsel

RE: **Ramiro Polanco and Ana Linares v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. PC 046 592

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary, and the Summary Corrective Action Plan be placed on the Board of Supervisor's agenda.

JFK:rfm

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Ramiro Polanco and Ana Linares v. County of Los Angeles, et al., Los Angeles Superior Court Case No. PC 046 592, in the amount of \$198,000 plus assumption of the Medi-Cal lien of \$8,894.79, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Health Services' budget.

This lawsuit concerns the care provided to a patient at the Olive View Medical Center.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Ramiro Polanco and Ana Linares v. County of Los Angeles, et al.
CASE NUMBER	PC 046592
COURT	Los Angeles Superior Court - North Valley District
DATE FILED	October 6, 2009
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$198,000 and assumption of the Medi-Cal lien in the amount of \$8,894.79.
ATTORNEY FOR PLAINTIFF	Robert J. McCulloch, Esq. Law Offices of Robert J. McCulloch
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian - Senior Deputy County Counsel
NATURE OF CASE	<p>On September 17, 2008, Ramiro A. Polanco was admitted to the psychiatric unit at Olive View Medical Center.</p> <p>On September 26, 2008, in an attempt to escape, Mr. Polanco jumped out of a window. As a result, Mr. Polanco suffered injuries to his head.</p> <p>Mr. Polanco filed a lawsuit against the County of Los Angeles and another entity. As to the County of Los Angeles, Mr. Polanco contended that the staff at</p>

Olive View Medical Center failed to adequately supervise him and failed to prevent him from jumping out of the window.

PAID ATTORNEY FEES, TO DATE

\$100,347

PAID COSTS, TO DATE

\$46,261.81

Case Name: Polanco, Ramiro



Summary Corrective Action Plan

Date of incident/event:	September 26, 2008
Briefly provide a description of the incident/event:	On September 17, 2008, Ramiro Polanco was admitted to a medical unit at Olive View/UCLA Medical Center. On September 26, 2008, in an attempt to escape, Mr. Polanco broke through and jumped out a window. As a result, Mr. Polanco suffered injuries to his head.

1. Briefly describe the root cause of the claim/lawsuit:

- Lack of clear guidelines on appropriate care setting for patients with behavioral issues resulting in patient jumping out of the window.

2. Briefly describe recommended corrective actions:

(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

- In January 2009, a policy was developed to outline the management of psychiatric patients on non-psychiatric units.
- In December 2008, windows were made "psychiatric safe" with reinforced windows in specified medicine rooms.
- In 2008 and 2010, education was provided to nursing staff on medicine units regarding behavioral assessments.
- In October 2008, the sitter policy was revised to include RN signature on nursing attendant documentation.
- In 2008 and 2010, the hand-off communication policy was reviewed with nursing staff.
- In October 2008, the consent policy was reviewed with the Department of Medicine physician staff.
- In April 2009, DHS verified that each acute care hospital has a policy for caring for the psychiatric patient in a non-psychiatric setting.
- In December 2010, DHS verified that each acute care facility that provides care to psychiatric patients in a non-psychiatric setting has procedures for communicating changes in behavior to appropriate staff.
- In December 2010, DHS confirmed with the acute care hospitals that provide care to psychiatric patients in a non-psychiatric setting that each has reinforced or break resistant windows.

3. State if the corrective actions are applicable to only your department or other County departments: (If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)


- ☐ Potentially has County-wide implications.
- ☐ Potentially has implications to other departments (i.e., all human services, all safety departments, or one or more other departments).
- ☒ Does not appear to have County-wide or other department implications.

Name: (Risk Management Coordinator)	
Kimberly McKenzie	
Signature: <i>Kimberly McKenzie</i>	Date: 1/10/11

Name: (Department Head)	
Mitchell Katz	
Signature: <i>Mitchell Katz</i>	Date: 1/12/11

County of Los Angeles
Summary Corrective Action Plan

Chief Executive Office Risk Management Branch

Name: LEO COSTANTINO	
Signature: 	Date: 2/11/11

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